

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KELVIN LANEIL JAMES,

Plaintiff

Case No. 2:24-cv-02200-GMN-DJA

ORDER

v.

THE STATE OF NEVADA, et al.,

Defendants

I. DISCUSSION

On December 10, 2024, the Court gave Plaintiff until February 4, 2025, to file a fully complete application to proceed *in forma pauperis* or pay the \$405 filing fee. (ECF No. 3). In response, Plaintiff filed two incomplete applications to proceed *in forma pauperis* (ECF Nos. 7, 8). He did not file a copy of his prison trust fund account statement for the previous six-month period with either application. (*Id.*).

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.

1 See 28 U.S.C. § 1915(b). Plaintiff's applications to proceed *in forma pauperis* are both
2 incomplete because neither includes the third required document, a copy of Plaintiff's
3 **prison trust fund account statement for the previous six-month period**. (ECF Nos.
4 7, 8). In light of Plaintiff's *pro se* status, the Court will grant him one final extension of time
5 until **March 12, 2025**, to either pay the \$405 filing fee or file a complete application to
6 proceed *in forma pauperis*.

7 **II. CONCLUSION**

8 For the foregoing reasons, it is ordered that Plaintiff's incomplete applications to
9 proceed *in forma pauperis* (ECF Nos. 7, 8) are DENIED without prejudice.

10 It is further ordered that the Clerk of the Court is kindly requested to send Plaintiff
11 the approved form application to proceed *in forma pauperis* by an inmate, as well as the
12 document entitled information and instructions for filing an *in forma pauperis* application.

13 It is further ordered that Plaintiff has **until March 12, 2025**, to either pay the full
14 \$405 filing fee or file a complete application to proceed *in forma pauperis*.

15 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
16 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
17 to refile the case with the Court, under a new case number, when Plaintiff can file a
18 complete application to proceed *in forma pauperis* or pay the required filing fee.

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20 DATED THIS 11th day of February 2025.

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23 DANIEL J. ALBREGTS
24 UNITED STATES MAGISTRATE JUDGE
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